
STATUTORY INSTRUMENTS

2009 No. 3023

The Health and Social Care Act 2008 (Commencement
No. 13, Transitory and Transitional Provisions
and Electronic Communications) Order 2009

Transitory modification of section 12(5) and 18 of the Act

- 12.**—(1) Where article 9(4) or (5)(b), 10(4) or (5)(b) or 11(4) or (5)(b) applies—
- (a) the Commission may exercise its powers under section 12(5) or 18 of the Act in respect of a new registration, notwithstanding that the period of that registration has not commenced; and
 - (b) when it does so exercise those powers, sections 12(5) and 18 are modified in accordance with paragraph (2).
- (2) The modifications referred to in paragraph (1) are—
- (a) section 12(5) is modified as if “for the time being in force” is omitted; and
 - (b) section 18 is modified as if—
 - (i) in subsection (1), at the end there is inserted “commencing on or after 1st April 2010”, and
 - (ii) for subsection (2)(a) there is substituted—
 - “(a) the Commission is no longer satisfied that the regulated activity will be carried on, on or after 1st April 2010, in accordance with the relevant requirements, or”.